

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN**

**UNUM LIFE INSURANCE
CO. of AMERICA,**

Plaintiff,

v.

NOEL F. NARUT,

Defendant.

Case No. 04-CV-175

ORDER

HERNDON, District Judge:

Before the Court is the parties' Joint Civil Local Rule 7.4 Expedited Non-Dispositive Motion to Postpone Pretrial Reports and Stay Pretrial Proceedings (hereinafter "Joint Motion"). (Doc. 34.) The parties "agree that all of the issues in this case have either been decided or are best resolved through motion practice." (*Id.* at 1.) In order to dispose of the issues, Plaintiff has thereby filed its Motion for Attorney Fees and Costs and for Declaration that Defendant's Claim can be Denied (hereinafter "Plaintiff's Motion"), as well as a supporting memorandum and declaration. (Docs. 35-37.)

Accordingly, in their Joint Motion, the parties have requested the Court to postpone the pretrial reports, originally due on September 12, 2005, and to further stay any trial and/or pretrial proceedings (thereby altering the Court's August 10, 2005 Scheduling Order) pending resolution of any issues remaining after

Plaintiff's Motion has been determined. (*Id.* at 2.) Additionally, the parties request a telephone status conference with the Court to discuss further proceedings and to determine a briefing schedule. Because the briefing schedule will not be decided upon until the telephone status conference, the parties further request the response periods relevant to Plaintiff's Motion (or other motions filed prior to the telephone status conference) be stayed until such briefing schedule is set.

The Court hereby **GRANTS** the parties' Joint Civil Local Rule 7.4 Expedited Non-Dispositive Motion to Postpone Pretrial Reports and Stay Pretrial Proceedings, and hereby **STAYS** all pretrial and trial proceedings and pending deadlines originally set in the August 10, 2005, Scheduling Order, until Plaintiff's Motion is ruled upon. Additionally, the Court schedules a telephone status conference for **Thursday, October 13, 2005, at 10:30 a.m.** in order to discuss further proceedings and an appropriate briefing schedule. Either of the parties shall initiate the telephone conference by promptly contacting the Court on the scheduled date and time at the following telephone number: (618) 482-9077. Further, the Court **STAYS** all applicable response deadlines regarding Plaintiff's Motion (Doc. 35.) until such briefing schedule is set.

IT IS SO ORDERED.

Signed this 28th day of September, 2005.

/s/ David RHerndon
United States District Judge